

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CRIMINAL NO.:

v.

DATE FILED:

JOSE NORBERTO NAVARRO GARCIA

VIOLATIONS:

a/k/a "Jose Navarro"

a/k/a "Jose Garcia"

a/k/a "Ramon Rosario"

21 U.S.C. § 841(a)

(Distribution of heroin - 2 counts)

21 U.S.C. § 841(a)

(Possession with intent to distribute 100
grams or more of heroin - 1 count)

21 U.S.C. § 860(a)

(Possession with intent to distribute 100
grams or more of heroin within 1,000 feet of
a school property - 1 count)

21 U.S.C. § 843(b)

(Use of a telephone to facilitate drug
trafficking - 3 counts)

21 U.S.C. § 853

(Notice of Forfeiture)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about September 5, 2002, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

JOSE NORBERTO NAVARRO GARCIA

a/k/a "Jose Navarro"

a/k/a "Jose Garcia"

a/k/a “Ramon Rosario”

knowingly and intentionally distributed a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 12, 2002, at Philadelphia, in the Eastern District of Pennsylvania
defendant

JOSE NORBERTO NAVARRO GARCIA
a/k/a “Jose Navarro”
a/k/a “Jose Garcia”
a/k/a “Ramon Rosario”

knowingly and intentionally used a communication facility, that is, a telephone, in facilitating the
knowing and intentional distribution of a mixture or substance containing a detectable amount of
heroin described in Count One, in violation of Title 21, United States Code, Sections 841(a)(1)
and 841(b)(1)(C).

In violation of Title 21, United States Code, Section 843(b).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 25, 2002, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

JOSE NORBERTO NAVARRO GARCIA

a/k/a "Jose Navarro"

a/k/a "Jose Garcia"

a/k/a "Ramon Rosario"

knowingly and intentionally distributed a mixture or substance containing a dectectable amount of
heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(C).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 4, 2003, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

JOSE NORBERTO NAVARRO GARCIA

a/k/a “Jose Navarro”

a/k/a “Jose Garcia”

a/k/a “Ramon Rosario”

knowingly and intentionally possessed with intent to distribute more than 100 grams, that is,
approximately 132 grams, of a mixture or substance containing a detectable amount of heroin, a
Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(B).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 4, 2003, at Philadelphia, in the Eastern District of Pennsylvania
defendant

JOSE NORBERTO NAVARRO GARCIA
a/k/a "Jose Navarro"
a/k/a "Jose Garcia"
a/k/a "Ramon Rosario"

knowingly possessed with intent to distribute more than 100 grams, that is, approximately 132 grams, of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Alexander K. McClure Elementary School, a public elementary school located at 600 W. Hunting Park Avenue, in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

In violation of Title 21, United States Code, Section 860(a).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 29, 2003, at Philadelphia, in the Eastern District of Pennsylvania
defendant

JOSE NORBERTO NAVARRO GARCIA

a/k/a "Jose Navarro"

a/k/a "Jose Garcia"

a/k/a "Ramon Rosario"

knowingly and intentionally used a communication facility, that is, a telephone, in facilitating the
knowing and intentional possession, with the intent to distribute, of more than 100 grams of a
mixture or substance containing a detectable amount heroin, a Schedule I controlled substance, as
described in Count Five, in violation of Title 21, United States Code, Sections 841(a)(1) and
841(b)(1)(B).

In violation of Title 21, United States Code, Section 843(b).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 4, 2003, at Philadelphia, in the Eastern District of Pennsylvania
defendant

JOSE NORBERTO NAVARRO GARCIA

a/k/a “Jose Navarro”

a/k/a “Jose Garcia”

a/k/a “Ramon Rosario”

knowingly and intentionally used a communication facility, that is, a telephone, in facilitating the knowing and intentional possession, with the intent to distribute, of more than 100 grams of a mixture or substance containing a detectable amount heroin, a Schedule I controlled substance, as described in Count Five, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

In violation of Title 21, United States Code, Section 843(b).

NOTICE OF FORFEITURE

1. As a result of violations of Title 21, United States Code, Section 841(a)(1) and 843(b) set forth in Counts One through Seven of this Indictment, the defendant

JOSE NORBERTO NAVARRO GARCIA
a/k/a "Jose Navarro"
a/k/a "Jose Garcia"
a/k/a "Ramon Rosario"

shall forfeit to the United States:

A. Any and all interest in real or personal property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code as charged in this Indictment; and

B. Any and all interest in real or personal property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code as charged in this Indictment.

2. If any of the property described above as being subject to forfeiture, as a result of any act of omission of the defendant:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with a third person;
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable

property.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney